

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ANTHONY MEEKS,

Plaintiff,

v.

Case No. 2:05-cv-193  
HON. R. ALLAN EDGAR

FABIAN LAVIGNE, et al.,

Defendants.

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**OPINION AND ORDER APPROVING MAGISTRATE JUDGE'S**  
**REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on November 13, 2007. The Report and Recommendation was duly served on the parties. The Court has received objections from plaintiff. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. The Court now finds the objections to be without merit.

Plaintiff has failed to present evidence that either defendant LaVigne or defendant Mather was responsible for plaintiff's mail not reaching the Court of Appeals. Plaintiff does not dispute that he mis-addressed his mail. Accordingly, summary judgment is appropriate.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Docket #145) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that defendant LaVigne's and Mather's motion for summary judgment (Docket #132) is GRANTED and defendants LaVigne and Mather are DISMISSED from this action.

Dated: 1/17/08

/s/ R. Allan Edgar  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE